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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,551	12/20/2000	Michael Frendo	CSCO-70364	8936

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EXAMINER

KE, PENG

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 06/19/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/742,551	Applicant(s) FREND0 ET AL.	
	Examiner Peng Ke	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-43 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-43 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 4-8, 12-15, 19-23, 26-30, 33-37, and 41-43 rejected under 35 U.S.C. 102(e) as being anticipate by Wistendahl (US 6496,981).

As per claim 1, Wistendahl et al. teaches a method for providing a user with Web-based information associated with program content viewable on a television, said method comprising the steps of:

a) receiving said program content (col 3, lines 32-45);

Examiner infers that media contents such as movies, TV programs, advertising, and the like as program content, regardless if they are interactive or not.

b) receiving a data stream comprising a set of Uniform Resource Locators (URLs) identifying Web sites associated with said program content (col 3, lines 32-45); and

Examiner infers that hot spot in the TV content that links to an Internet address and displaying related pages on the world wide web as URL.

c) selecting from said data stream one or more URLs of particular interest to a user (col 5, lines 42-50); wherein said program content is displayed on said television and Web based

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information identified by said one or more URLs is optionally displayed on a device other than said television (col 7, lines 35-41).

Examiner infers that the option of viewing the URLs on a device other than TV is the same as the option for a user to use another display device, for example the computer, to view the URLs.

As per claim 4, Wistendahl teaches the method as recited in Claim 1 wherein said data stream comprising said set of URLs is embedded in said program content (col 9, lines 28-44).

As per claim 5, Wistendahl teaches the method as recited in Claim 1 wherein said data stream comprising said set of URLs is received from a remote device via the Internet (col 5, lines 28-50).

As per claim 6, Wistendahl teaches the method as recited in Claim 1 further comprising the step of:

d) receiving a command for performing a function from a remote device via the Internet (col 7, lines 45-53).

As per claim 7, Wistendahl teaches the method as recited in Claim 1 wherein said Web-based information comprises Web pages corresponding to said subset of URLs (col 13, lines 50-62).

As per claim 8, Wistendahl teaches in a device communicatively coupled to the Internet, a method for providing a user with Web-based information associated with program content viewable on a television, said method comprising the steps of:

a) receiving information identifying program content being received at a television that is communicatively coupled to the Internet (col 3, lines 32-45);

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b) identifying a set of Uniform Resource Locators (URLs) for Web sites associated with said program content (col 3, lines 32-45); and

c) communicating one or more of said URLs to a second device that is communicatively coupled to the Internet (col 5, lines 42-50); wherein said program content is displayed on said television and Web based information associated with said set of URLs is optionally displayed on a device other than said television (col 7, lines 35-41).

Examiner infers that the option of viewing the URLs on a device other than TV is the same as the option for a user to use another display device, for example the computer, to view the URLs.

As per claim 12, Wistendahl teaches the method as recited in Claim 8 wherein said step a) comprises the step of: receiving information identifying a channel associated with said program content (col 13, lines 39-49).

As per claim 13, Wistendahl teaches the method as recited in Claim 8 wherein said second device is a set top box communicatively coupled to said television, wherein said URLs received by said second device are communicated to said device other than said television (col 7, lines 35-41).

As per claim 14, Wistendahl teaches the method as recited in Claim 8 wherein said second device is a computer system having a display screen, wherein said Web-based information is optionally displayed on said display screen (col 7, lines 35-41).

As per claim 15, Wistendahl teaches a method for providing Web-based information associated with program content viewable on said television, said method comprising the steps of:

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a) receiving a set of Uniform Resource Locators (URLs) identifying Web sites associated with said program content (col 3, lines 32-45);

b) selecting one or more URLs of particular interest to a user (col 3, lines 32-45);

c) receiving Web-based information identified by said one or more URLs (col 5, lines 42-50); and

d) displaying said Web-based information; wherein said program content is separately displayed on said television (col 9, lines 27-44).

As per claim 18, which is dependent on claim 15, it is of the same scope as claim 4. (see rejection above)

As per claim 19, which is dependent on claim 15, it is of the same scope as claim 5. (see rejection above)

As per claim 20, which is dependent on claim 15, it is of the same scope as claim 6. (see rejection above)

As per claim 21, which is dependent on claim 15, it is of the same scope as claim 7. (see rejection above)

As per claim 22, which is dependent on claim 15, Wistendahl teaches the method as recited in Claim 15 wherein said television is communicatively coupled with a set top box (fig 3, item 32).

As per claim 23, which is dependent on claim 15, Wistendahl teaches a set top box comprising:

a bus;

a memory unit coupled to said bus (col 9, lines 1-10); and

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a processor coupled to said bus, said processor for executing a method for providing a user with Web-based information associated with program content viewable on a television, said method comprising the steps of:

a) receiving said program content (col 3, lines 32-45);

b) receiving a data stream comprising a set of Uniform Resource Locators (URLs) identifying Web sites associated with said program content (col 3, lines 32-45); and

c) selecting from said data stream one or more URLs of particular interest to a user; wherein said program content is displayed on said television (col 5, lines 42-50) and Webbased information identified by said one or more URLs is optionally displayed on a device other than said television (col 7, lines 35-41).

Examiner infers that the option of viewing the URLs on a device other than TV is the same as the option for a user to use another display device, for example the computer, to view the URLs.

As per claim 26, which is dependent on claim 23, it is of the same scope as claim 4 (see rejection above).

As per claim 27, which is dependent on claim 23, it is of the same scope as claim 5 (see rejection above).

As per claim 28, which is dependent on claim 23, it is of the same scope as claim 6 (see rejection above).

As per claim 29, which is dependent on claim 23, it is of the same scope as claim 7 (see rejection above).

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As per claim 30, Wistendahl teaches a computer-usable medium having computer-readable program code embodied therein for causing a computer system to perform the steps of:

- a) receiving program content viewable on a television (col 3, lines 32-45);
- b) receiving a data stream comprising a set of Uniform Resource Locators (URLs) identifying Web sites associated with said program content (col 3, lines 32-45); and
- c) selecting from said data stream one or more URLs of particular interest to a user; wherein said program content is displayed on said television (col 5, lines 42-50) and Webbased information identified by said one or more URLs is optionally displayed on a device other than said television (col 7, lines 35-41).

Examiner infers that the option of viewing the URLs on a device other than TV is the same as the option for a user to use another display device, for example the computer, to view the URLs.

As per claim 33, which is dependent on claim 30, it is of the same scope as claim 4 (see rejection above).

As per claim 34, which is dependent on claim 30, it is of the same scope as claim 5 (see rejection above).

As per claim 35, which is dependent on claim 30, it is of the same scope as claim 6 (see rejection above).

As per claim 36, which is dependent on claim 30, it is of the same scope as claim 7 (see rejection above).

As per claim 37, Wistendahl teaches a set top box comprising:

means for receiving program content viewable on a television (col 3, lines 32-45);

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means for receiving a data stream comprising a set of Uniform Resource Locators (URLs) identifying Web sites associated with said program content (col 3, lines 32-45); and

means for selecting from said data stream one or more URLs of particular interest to a user; wherein said program content is displayed on said television (col 5, lines 42-50) and Web-based information identified by said one or more URLs is optionally displayed on a device other than said television(col 7, lines 35-41).

Examiner infers that the option of viewing the URLs on a device other than TV is the same as the option for a user to use another display device, for example the computer, to view the URLs.

As per claim 40, which is dependent on claim 37, it is of the same scope as claim 4 (see rejection above).

As per claim 41, which is dependent on claim 37, it is of the same scope as claim 5 (see rejection above).

As per claim 42, which is dependent on claim 37, it is of the same scope as claim 6 (see rejection above).

As per claim 43, which is dependent on claim 37, it is of the same scope as claim 7 (see rejection above).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 3, 9, 11, 16, 17, 24, 25, 31, 32, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wistendahl et al. (US 6,496,981) in view of Moraes (US 6,014,502).

As per claim 2, Wistendahl et al. teaches the method as recited in Claim 1. However Wistendahl doesn't teach the method wherein said step comprises the steps of:

- 1) comparing characteristics describing each of said URLs with a user profile comprising user-specified characteristics; and

- 2) identifying a subset of URLs satisfying said user-specified characteristics.

Moraes teaches a method wherein said step comprises the steps of:

- 1) comparing characteristics describing each of said URLs with a user profile comprising user-specified characteristics (col 19, lines 9-29); and

- 2) identifying a subset of URLs satisfying said user-specified characteristics (col 19, lines 9-29).

It would have been obvious to an artisan at the time of the invention to include Moraes' teaching with Wistendahl's method in order to predict user's future behavior.

As per claim 3, Wistendahl in view of Moraes teach the method as recited in Claim 2. Moraes further teaches the method comprising the steps of:

- monitoring URLs selected by said user (col 19, lines 9-29); and

- adding characteristics describing said URLs selected by said user to said user profile (col 19, lines 9-29).

As per claim 9, which is dependent on claim 8, it is of the same scope as claim 2. (see rejection above).

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As per claim 11, which is dependent on claim 10, it is of the same scope as claim 2. (see rejection above).

As per claim 16, which is dependent on claim 15, it is of the same scope as claim 2. (see rejection above).

As per claim 17, which is dependent on claim 16, it is of the same scope as claim 3. (see rejection above).

As per claim 24, which is dependent on claim 23, it is of the same scope as claim 2. (see rejection above).

As per claim 25, which is dependent on claim 24, it is of the same scope as claim 3. (see rejection above).

As per claim 31, which is dependent on claim 30, it is of the same scope as claim 2. (see rejection above).

As per claim 32, which is dependent on claim 31, it is of the same scope as claim 3. (see rejection above).

As per claim 38, which is dependent on claim 37, it is of the same scope as claim 2. (see rejection above).

As per claim 39, which is dependent on claim 38, it is of the same scope as claim 3. (see rejection above).

Conclusion

The following patents are cited to further show the state of the art with respect to a web display interface:

Yoshiura et al. (US, 6,131,162) : discloses a digital data authentication method.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peng Ke whose telephone number is (703) 305-7615. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KRISTINE L KINCAID can be reached on (703) 308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Peng Ke
June 13, 2003

Kristine Kincaid
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